

Florence, New Jersey
February 7, 2007

The Florence Township Council held a regular meeting on the above date in the Municipal Complex, 711 Broad Street, Florence, New Jersey.

The meeting was called to order by Council President Baldorossi at 8:00 PM. President Baldorossi led the Salute to the Flag.

The following statement was read by the Township Clerk: "Notice of this meeting has been given in accordance with the Open Public Meetings Act. Notice was published in the Burlington County Times on January 7, 2007; given to the Register News for information. Notice was posted on the Municipal Bulletin Board."

Upon roll call the following were found to be present:

Frank Baldorossi, President
John Fratinardo
Bruce Garganio
Elizabeth Ryan
Jerry Sandusky

Also present:

Mayor Michael Muchowski; Richard Brook, Township Administrator; Thomas Sahol, Assistant Municipal Administrator; Dante Guzzi, Township Engineer; William John Kearns, Jr., Township Solicitor; Joy M. Weiler, Township Clerk

MINUTES

Sandusky made a MOTION; seconded by Garganio to approve the following minutes. Roll call vote – all ayes. Motion carried.

Executive Session	January 10, 2007
Closed Session	January 17, 2007 and January 24, 2007

FINANCIAL CORRESPONDENCE

It was on the MOTION of Sandusky; seconded by Ryan to receive and file the Chief of Police's report, Court Administrator's report and Township Clerk's report for January. Roll call vote – all ayes. Motion carried.

Sandusky made a MOTION; seconded by Ryan to approve the Treasurer's Bill List. Roll call vote – all ayes. Motion carried.

REGULAR CORRESPONDENCE

Nothing at this time.

APPLICATIONS

A. Off Premise Draw Raffle: RC Church of the Holy Assumption, June 5, 2007, 9:00PM, McGrath Hall

Florence Township Council Regular Session: 02/07/07

It was on the MOTION of Sandusky, seconded by Garganio to approve the above application:

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Fratinardo, Garganio, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None

Unanimous approval.

PUBLIC COMMENTS

Nothing at this time.

All residents having an opportunity to be heard, MOTION by Sandusky; seconded by Ryan to close the public portion of the meeting. All ayes - motion carried.

RESOLUTIONS

RESOLUTION NO. 2007-46

**A RESOLUTION APPOINTING A SPECIAL COMMISSIONER
TO THE BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND**

RESOLUTION NO. 2007-47

AMEND TEMPORARY BUDGET APPROPRIATIONS FOR 2007

RESOLUTION NO. 2007-48

**AUTHORIZING THE PUBLIC SALE OF TOWNSHIP
OWNED PROPERTY**

(Motor Vehicles which came into possession of the Florence Township Police Department
through abandonment or failure of the owners to claim)

RESOLUTION NO. 2007-49

**AUTHORIZING THE BURLINGTON COUNTY MOSQUITO
EXTERMINATION COMMISSION TO CONDUCT AN AERIAL
MOSQUITO CONTROL ACTIVITY**

Florence Township Council Regular Session: 02/07/07

It was on the MOTION of Sandusky, seconded by Garganio that Resolutions 2007-46 through 2007-49 be approved.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Fratinardo, Garganio Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None

Unanimous approval.

ORDINANCES

Nothing at this time.

REPORTS

Committees, Boards and Officers

- Nothing at this time.

Mayor Muchowski

- Mayor Muchowski requested that Solicitor Kearns address the letter from Ed Petkevis, Esq. regarding the Scott Blum application under his report.
- Mayor Muchowski referenced the letter from Chief Gordon Dawson offering commendation to Detective Greenburg and Detective Jacoby. It was nice to see.
- Mayor Muchowski discussed the letter from the Florence Historical Society regarding **street names**. He feels it is a good idea to have Assistant Administrator Sahol meet with the Florence Historical Society and the Roebling Historical Society to provide a list of possible street names and insight into the history. Mayor Muchowski stated that Florence Township has a rich history to pull from. He would like to see a semblance of order for the process of naming new streets. Council Member Fratinardo suggested naming a street after former State Senator Dimon. As Council Member Garganio has suggested before, Council Member Sandusky suggested naming streets after former Mayors that are still living. Other suggestions were Jack Sweeney, Superior Court Judge (once he retires), and Joe McHugh Sr., the last lay judge in the community. Assistant Administrator Sahol will meet with the presidents of the Historical Societies and report back. Will discuss further at the March or April Worksession.

Administrator

- Administrator Brook provided a memo regarding the **traffic at Delaware Avenue and Station Road**. He asked if Council would like him to contact the County and request that they do an engineering study? This is in response to a resident that raised concerns regarding the intersection. The resident intends to approach the County.

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Council Member Garganio asked if the development was approved on Railroad Avenue? Mayor Muchowski stated that it was approved. The developer is going to build a 2,800SF office. Due to this approved development and the expansion of Ready Pac that may impact the intersection, Council Member Garganio would like to request that the County do a study. Dan Guzzi stated that he has a traffic study that was prepared for the Ready Pac expansion. Mayor Muchowski stated it would not be a traffic study; it would be a parking analysis at the intersection.

Mayor Muchowski believes that the County would find that trucks should not park there and the question would be: Does Council want to prohibit truck parking and take business away from a long time business? Administrator Brook explained that normally the County comes back with recommendations and if the municipality decides not to follow through, the County backs away. The County will give an engineering perspective of the way the trucks are parked and cars having to cross over the double line as a result. Council Member Ryan does not know how to address that situation without addressing the situation in front of the deli on Hornberger Avenue, which is very similar. Hornberger Avenue is not a County road. Council Member Sandusky agreed that there are a lot of similar situations in town. Council Member Ryan stated that if anything is done, it would have to be more comprehensive. Will discuss further at next week's meeting.

- Administrator Brook stated that Mayor Muchowski asked him to look into designating a **specific area** around the **municipal building for smoking**. Solicitor Kearns advised him it could be done by Resolution. There would be no smoking in the front of the building or in the back of the building by the doors. The only designated smoking area would be by the double doors in the back. Mayor Muchowski explained that he does not want to take away the availability to smoke; he just does not want it by the entrances to the building. Shelter would not be needed. Council agrees that a designated smoking area is needed especially now that there is day court. If a penalty were to be imposed, it would have to be done by Ordinance. A Draft will be provided for the March Worksession.

Assistant Administrator

- Assistant Administrator Sahol provided a memo in the packet regarding **policies on Recreation**. He would like to discuss at next week's meeting.

Mayor Muchowski stated that there are no consistencies from league to league. There was a child that lived out of town whose application was denied for basketball but was allowed to play baseball. Council Member Ryan asked if the Recreation Committee should be handling these decisions? Mayor Muchowski explained that at this time they do not have the statutory authority.

Mayor Muchowski believes there should be a centralized set of bylaws and an approving body of the bylaws. There can also be more sport specific bylaws for each league. There is a consensus among Council to look into further. Assistant Administrator Sahol will report back with some ideas next week.

Township Solicitor

- Solicitor Kearns reviewed the material from Edward Petkevis, Esq. in which he is filing suit on behalf of the **Blum Investment Group** application that was denied from the Zoning Board of Adjustment. He looked at the Resolution and he believes the Zoning Board had a solid foundation for their decision. He stated that the application is contrary to the Master Plan and also believes there is a solid basis for defending the decision. Mr. Guzzi was at the meeting and does not believe, in the Zoning Board's opinion, that the applicant provided the necessary proof for the use variance. The applicant was looking to tear down the existing house and build a new office building with a parking lot. Council Member Sandusky asked if it was true that the Zoning Board Solicitor advised if a Member of the Board were a patient, they could not vote? Solicitor Kearns stated that if he were the attorney for the Board, he would advise the same thing. Mr. Guzzi stated that the patient on the Board did abstain. Administrator Brook asked if Council would like a copy of the transcript from the meeting? Council President Baldorossi and Council Member Sandusky asked for a copy. Mayor Muchowski wanted Council to be aware of the situation.

Township Engineer

- Dan Guzzi, Township Engineer, provided a copy of the letter sent to **Hapco** in Council's packet regarding the large hole in the road. He has been trying to get them to repair but they have been non-responsive. He reminded them that they are on a temporary CO. He asked that they provide a sketch of what they are going to do to repair it and prevent it from happening in the future. Administrator Brook advised Mr. Guzzi if Hapco does not respond to let him know, and he will go to Tom Layou, Construction Code Official.

Council Member Garganio asked if there was a time limit on completion of construction? Their pumps are complete but the building is going very slow. Mr. Guzzi stated there is no time limit. Mayor Muchowski stated that there has been conversation of a Dunkin Donuts utilizing the first floor of the building, which was going to be a convenience store. They may need land use approval. Mr. Guzzi stated that there is a traffic difference between a Dunkin Donuts and a convenience store. He believes they would need approval.

Administrator Brook will have Hapco put on notice.

- Mr. Guzzi asked that they discuss the roads to be done as part of the **Road Program** at next week's Worksession. The DOT Grant should be used this year.

Council President Baldorossi asked if any alleys were being done this year? Mr. Guzzi explained that the \$130,000 from DOT cannot be used for alleys. That money is limited to the roads that were included in the application. The size of the program can be from \$130,000 to whatever Council wants. Council President Baldorossi requested that Mr. Guzzi bring the list of alleys to next week's Worksession. Mr. Guzzi will provide a list of alleys and roads for discussion.

UNFINISHED BUSINESS

Council Member Garganio discussed the letter from the Township Planner sent out to their municipalities regarding the new **COAH** regulations and the lawsuit. He requested that the Planner fine tune and show what the definite impact to Florence Township would be. Administrator Brook stated that COAH was looking to certify the township's plan within 60 days, but now it is on hold. They are still moving with the regulation to certify the township. He believes it is still a good idea to proceed with the acquisition they were looking at. He will see if the Planner can provide, based on the court decision, a more definitive idea of how it impacts the township.

Council Member Ryan questioned if the League of Municipalities was involved? Solicitor Kearns stated that COAH has until February 14, 2007 to decide if they are going to appeal. There are mixed signals as to whether they will or not. He stated that the League has been involved.

Council Member Ryan requested a report on the Buc's property.

Joy Weiler, Township Clerk, stated that Mark Remsa, Burlington County Regional Planning Coordinator, asked to speak at next week's Worksession. Council in agreement for Mr. Remsa to attend next week's Worksession.

NEW BUSINESS

Council Member Sandusky discussed the fact that there are several pocketed **ABC Licenses** in the municipality. He asked if a letter could be sent to the license holders asking what they have done since the last renewal in June and what they plan to do with their license when it comes up for renewal this year in June? He feels Council should decide whether to keep renewing those licenses. He also requested that when the licenses are renewed by Resolution that there be two (2) Resolutions, one (1) for active licenses and the other for pocketed licenses. Solicitor Kearns stated they could be voted upon separately.

Discussion followed regarding the number of ABC Licenses allowed per population. At the present time the township has more licenses then allowed by law because they are grandfathered in. Solicitor Kearns stated that if a grandfathered license is surrendered and population does not allow another license, that license is gone. At Council's request, Clerk Weiler will provide a report showing all of the licenses, all of the pocketed licenses and how many are allowed by law.

The question was raised that if the municipality loses enough of the licenses that it falls below the population limit for how many licenses are allowed, can the municipality then sell that license? Solicitor Kearns stated that yes, if the number of licenses falls below what is allowed, the township can issue the number of licenses allowed by law. Clerk Weiler reviewed the last report, which states:

2000 Federal Census: 10,746 population number

- Consumption License – one (1) license per 3,000 (the twp. currently has ten (10))
- Distribution License – one (1) license per 7,5000 (the twp. currently has four (4))

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Clerk Weiler will provide a written report for Mayor and Township Council.

Council Member Ryan stated that there was reference at the hearing on January 24th that the township's Ordinance for Sunday sale hours was not in compliance with State Statute and requested that Solicitor Kearns address. Solicitor Kearns will get an answer and report back.

BOARD OF HEALTH

Nothing at this time.

MISCELLANEOUS

Council Member Garganio complimented Assistant Administrator Sahol and the Public Works Department on the work they did to clear and clean out the area by the park on Broad Street.

8:55 PM MOTION by Sandusky, seconded by Ryan to adjourn meeting. Roll call vote - all ayes.

ADJOURNMENT

8:55 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER
Township Clerk

/mab